

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Vinay Mehta et al.

Filed: November 6, 2003

Group Art Unit: 1782

Serial No: 10/702,689

Examiner: Elizabeth M. Cole

For: BREATHABLE NON-ASPHALTIC ROOFING UNDERLAYMENT

**JOINT DECLARATION OF VINAY MEHTA AND AWDHOOT VASANT KERKAR**  
**UNDER 37 C.F.R. 1.131**

Sir:

We, Vinay Mehta and Awdhoot Vasant Kerkar, hereby declare and say that:

1. We are the two inventors of the subject matter of U.S. Patent Application No. 10/702,689 filed November 6, 2003, directed to a breathable non-asphaltic roofing underlayment.
2. Upon our information and belief, GAF Materials Corporation is the assignee of the entire right, title and interest in and to this application.
3. We hereby submit this Declaration as evidence of our invention of the subject matter of this application prior to March 28, 2003, in order to support allowance of the pending claims.
4. Before March 28, 2003, we began exploring options of coating glass mats with methyl acrylate ("EMA") in connection with roofing applications. Mr. Mehta's weekly report dated 1/27/03 -1/31/03 memorializes this exploration. (See attached Exhibit A). We conceived and authored the subject matter of the weekly report, and we have firsthand knowledge of the information provided in the weekly report.
5. Before March 28, 2003, we began a first set of trials for coating a glass mat with a blend of EMA and thermoplastic polyurethane ("TPU"). Mr. Mehta's weekly report dated 2/17/03 - 2/21/03 memorializes these trials. (See attached Exhibit B). We conceived and authored the subject matter of the weekly report, and we have firsthand knowledge of the information provided in the weekly report.

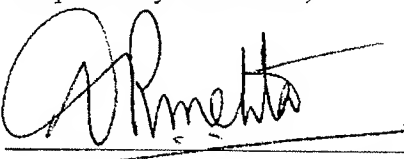
6. Before March 28, 2003, we began a second set of trials of coating glass mats with a blend of TPU and EMA. Mr. Mehta's weekly report dated 3/3/03 - 3/7/03 memorializes these trials. (See attached Exhibit C). We conceived and authored the subject matter of the weekly report, and we have firsthand knowledge of the information provided in the weekly report.

7. Before March 28, 2003, we conducted trials on glass mats coated with an EMA/TPU blend. The notes from Mr. Mehta's laboratory notebook memorialize these trials. (See attached Exhibit D). We conceived and authored the subject matter of the notes, and we have firsthand knowledge of the information provided in the notes.

We further declare that all statements made hereinabove are of our own knowledge and are true, that all statements made on information and belief are believed by us to be true and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of a patent application or any patent issuing thereon.

Respectfully submitted,

Date: 7/20/2011

By: 

Vinay Mehta

Date: \_\_\_\_\_

By: \_\_\_\_\_

Awdhoot Vasant Kerkar

## **EXHIBIT A**

**Weekly Report (1/27 – 1/31) by Vinay Mehta**

REDACTED

**UNDERLAYMENT:**

R&D has now finished the mechanical as well as static friction properties on various glass mat based underlayment products

exploring options of coating TPU, EMA and/or PP on both the sides of 780 glass mat as well as a polypropylene based non-woven scrim (improves pliability). we have begun

## **EXHIBIT B**

**Weekly Report (2/17 – 2/21) by Vinay Mehta**

REDACTED

**Non-asphaltic UNDERLAYMENT:**

Following sample runs are planned in the second trial:

- (1) Glass mat coated on both sides with PP (preferably black) (sample # 1)
- (2) Glass mat coated with EMA on the "rough" inner side (roof side), and EMA (black) and TPU coated on the the other (weather) side. (sample # 2 and 3)

## **EXHIBIT C**

## **Weekly Report (3/3 – 3/7) by Vinay Mehta**

### **Non-Asphaltic Underlayment:**

Please see the report below:

### **Second Trial at Firstline Corporation for Underlayment**

On March 5<sup>th</sup> 2003, Vinay Mehta attended the second trial to make non-asphaltic shingle underlayment (UDL) at the facility of Firstline Corporation in Valdosta, GA.

## EXHIBIT D

## SAMPLES

- ① Glass mat coated 2 sides with PP in black
- ② Glass mat with EMA on rough side and EMA/TPU on smooth side.